

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mediated Ambiance LLC,
Plaintiff

v.

TouchTunes Music Corp,
Defendant.

Civil Action No. 1:2018-cv-02624-PGG

APPLICATION TO WITHDRAW AS COUNSEL

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PLEASE TAKE NOTICE that Erik Dykema, Esq., will no longer be representing Plaintiff *Mediated Ambiance LLC* in this proceeding, and respectfully requests that the court so-order the withdrawal of his appearance in this matter.

Pursuant to L. Civ. R. 1.4, satisfactory reasons for this Court to grant withdrawal include at least the following:

1. This application to withdraw has been served on the client, Mediated Ambiance LLC, and said client has consented to the attorney's withdrawal.
2. There are no current deadlines in this matter for Plaintiff to respond to,
3. Three other attorneys from Plaintiff's firm, Upshaw PLLC, will continue as counsel for Plaintiff in this matter, and Everett Upshaw, Esq., will continue as lead counsel for the plaintiff. Accordingly, the undersigned does not believe that his withdrawal will cause any disruption to the schedule in this matter.

4. This case is still in the discovery stage, there is no presently scheduled end of discovery, deadline for dispositive motions, or trial date.
5. The withdrawing attorney is not asserting a retaining or charging lien.

Date: 12 Sept. 2022

Respectfully Submitted,

By: /Erik Dykema/

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ATTORNEYS FOR PLAINTIFF
Mediated Ambiance LLC

Certificate of Service

I certify that on September 7, 2022, the foregoing document was served on Mr. Federico Fraccaroli, the owner of plaintiff Mediated Ambiance, LLC.

By: Respectfully Submitted,

Everett Upshaw

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